IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.19516 of 1995

Between:

1 Y. Chinnaiah, S/o. Subbaiah,
Yerukula, 13th ward.
2 Y.Venkata Subba Rao, s/o. Chinnaiah,
Yerukula, 13th ward.
3 Y. Sambasiva Rao, s/o. Chinnaiah,
Yerukula, 13th ward.
4 Y. Durga Rao, S/o. Chinnaiah,
Yerukula, 13th ward.
5 Y. Ramababu, S/o. Laksmaiah,
Yerukula, 13th ward.
6 Y. Tirupathi Rao, S/o. Laksmaiah,
Yerukula, 13th ward.
7 Y. Srinivasa Rao, S/o. Laksmaiah,
Yerukula, 13th ward.
8 b. Ramaswamy, S/o. Mahankali,
Yerukula, 18th ward.
9 D. Kondaiah, S/o. Venkanna,
Yerukula, 18th ward.
10 K.Kondaiah, S/o. Veerraju,
Yerukula, 13th ward.
11 P.Veerraju, S/o. Raghavulu,
Yerukula, 13th ward.
12 Y.Lakshmaiah, S/o. Maria,
Yerukula, 18th ward.
13 Y.nagabhushanam, S/o.Lakshmaiah,
Yerukula, 18th ward.
14 Y.Venkanna, S/o.nagabhushanm,
Yerukula, 18th ward.
15 Y.Raghavulu, s/o. Mutyam,
Yerukula, 18th ward.
16 Y.nageswara Rao, s/o. Mutyam,
Yerukula, 18th ward.
17 Y.Ratalu, S/o. Mutyam,
Yerukula, 18th ward.
18 Y.Venkateswara Rao, S/o. Gangaiah,

Yerukula, 18th ward.

19 Y.Yesubabu, S/o. Ramulu,
Yerukula, 18th ward.

20 Y.Srinivasa Rao, S/o. Ramulu,
Yerukula, 18th ward.

21 Y.Nageswara Rao, S/o.Ramaswamy,
Yerukula, 18th ward.

22 Y.Nagaraju, S/o. Ramulu,
Yerukula, 18th ward.

23 N.Pothu Raju, S/o. Subbaiah,
Yerukula, 18th ward.

24 N.Subba Rao, S/o.Pothuraju,
Yerukula, 18th ward.

25 B.Kondaiah, S/o. Venkanna,
Yerukula, 18th ward.

26 B.Rangaiah, S/o. Venkanna,
Yerukula, 18th ward.

27 B.Raju, S/o. Venkanna,
Yerukula, 18th ward.

28 R.Ranga, S/o.Ramulu,
Yerukula, 18th ward.

29 R.Sambaiah, S/o. Ramulu,
Yerukula, 18th ward.

30 R.Venkateswara Rao, S/o. lakshmana
Yerukula, 18th ward.

31 R.Ramulu, S/o.Venkaiah,
Yerukula, 18th ward.

32 K.Krishna, S/o.Subbaiah,
Yerukula, 18th ward.

33 B.Manikyala Rao, S/o.Mahankali,
Yerukula, 24th ward.

34 B.Prasad, S/o.Manikyala Rao,
Yerukula, 24th ward.

35 B.Ratalu, S/o.Manikyala Rao,
Yerukula, 24th ward.

36 B.Yesu, S/o.Manikyala Rao,
Yerukula, 24th ward.

37 Y.Pothuraju, s/o.Gangaiah,
Yerukula, 24th ward.

38 Y.Sambaiah, S/o.Pothuraju,
Yerukula, 24th ward.

39 S.Venkanna, S/o.Venkateswara Rao,
Yerukula, 24th ward.

40 S.Srinivasa Rao, S/o. Venkateswara Rao,
Yerukula, 24th ward.

41 S.Pothuraju, S/o.Pattabhi,
Yerukula, 24th ward.

42 S.Venkata Rao, S/o.Pattabhi,
Yerukula, 24th ward.

43 D.Venkata Rao, S/o. Musalaiaha,
Yerukula, 24th ward.

44 G.Nageswara Rao, S/o.Atchaiah,
Yerukula, 24th ward.

45 Y.Subba Rao, S/o.Venkanna,
Yerukula, 24th ward.
46 K.Nannenkulu, S/o.nannaiah,
Yerukula, 3rd ward.
47 K.Srinivasa Rao, S/o.Nannenkulu,
Yerukula, 3rd ward.
48 K.Jani, S/o.Narasimha Rao,
Yerukula, 3rd ward.
49 K.Durga Rao, S/o. Subba Rao,
Yerukula, 3rd ward.
50 K.Venkateswara Rao, S/o.Subba Rao,
Yerukula, 3rd ward.
51 K.Moti, S/o.Subba fRao,,
Yerukula, 3rd ward.
52 K.Tata Raoi, S/o.Veeraranghavulu,
Yerukula, 3rd ward.
53 K.Narayananmma, S/o.Koteswara Rao,
Yerukula, 3rd ward.
54 K.Babu, S/o.Dada,
Yerukula, 3rd ward.
55 K.Mahalakshmi, S/o.Voda,
Yerukula, 3rd ward.
56 K.Ravanamma, W/o.Subbaiah,
Yerukula, 3rd ward.
57 K.Venkateswara Rao, S/o. Venkulu,
Yerukula, 3rd ward.
58 K.Mastan Rao, s/o.Venkata Rao,
Yerukula, 3rd ward.
59 Kavati Boda, S/o.anjaiah,
Yerukula, 3rd ward.
60 kavati Ramana, S/o.anjaiah,
Yerukula, 3rd ward.
61 kalidasu Chinna, S/o.naidu,
Dommara, 4th Ward.
62 kalidasu Venkata Rao, S/o. Gangaraju,
Dommara, 4th Ward.
63 Kalidasu Akka Rao, S/o.Naidu,
Dommara, 4th Ward.
64 Vuyyala Apparao, S/o. Chanti,
Yerukula, 24th ward.
65 V.Subba Rao, S/o. Chanti,
Yerukula, 24th ward.
66 Devarakonda Sambasivarao, S/o.Jarugulu,
Yerukula, 24th ward.
67 P.Satyanarayana, S/o. Venkanna,
Yerukula, 24th ward.
68 S.Venkateswara Rao, S/o. Perantalu,
Yerukula, 24th ward.
69 S.Nageswara Rao, S/o.Venkanna,
Yerukula, 24th ward.
70 Sala Musalaiah, S/o.Venkanna,
Yerukula, 24th ward.
71 Senapathi Srinivasa Rao, S/o.Venkanna,

Yerukula, 24th ward.

72 kothadi Maddiramaiah, S/o.Sreeramulu,
Yerukula, 24th ward.

73 D.Pothuraju, S/o.Jarugulu,
Yerukula, 26th ward.

74 D.Jarugulu, S/o.Bullalu,
Yerukula, 26th ward.

75 Ramidi Goyaraju, S/o.Jarugulu,
Yerukula, 26th ward.

76 D.Nageswara Rao, S/o. Pothuraju,
Yerukula, 27th ward.

77 V.Satyanarayan, S/o.Krishna,
Yerukula, 27th ward.

78 T.Peddaramulu, S/o.Gopaiah,
Yerukula, 33rd ward.

79 T.Chinaramulu, S/o.Gopaiah,
Yerukula, 33rd ward.

80 G.Chinna, S/o. Yellaiah,
Yerukula, 33rd ward.

81 Gunje Vepana, S/o. Sreeramulu,
Yerukula, 33rd ward.

82 Avula Peddiraju, S/o. Yapaiah,
Yerukula, 33rd ward.

83 Avula Kottaiah, S/o. Yapaiah,
Yerukula, 33rd ward.

84 Veleku Kotaiah, S/o.Yapaiah,
Yerukula, 33rd ward.

85 Gunje Bichumaiah, S/o. Yapaiah,
Yerukula, 33rd ward.

86 Gunje Kotaiah, S/o. Chinnaiah,
Yerukula, 33rd ward.

87 Gunje Saibaba, S/o. Doddaiah,
Yerukula, 33rd ward.

88 Gunje Pitchaiah, S/o. Gopaiah,
Yerukula, 33rd ward.

89 Avula Chinna Rao, S/o. Rangaiah,
Yerukula, 33rd ward.

90 T.Kondaiah, S/o.Veeraiah,
Yerukula, 33rd ward.

91 Avula Venkateswara Rao, S/o. hanumanthu,
Yerukula, 33rd ward.

92 Gunje Raghavulu, S/o. lakshmaiah,
Yerukula, 33rd ward.

93 Turaka Babu Rao, S/o. Guruvulu,
Yerukula, 33rd ward.

94 Avula Pedda Chinna, s/o. Yellaiah,
Yerukula, 33rd ward.

95 Gunje Chinnaiah, S/o.Atchaiah,
Yerukula, 33rd ward.

96 Gunje Veeraswamy, S/o. Somulu,
Vaddera, 33rd ward.

97 G.Venkateswara Rao, s/o.Chinna Pullaiah,
Vaddera, 33rd ward.

98 G.Venkanna, s/o.Veeraiah,
Vaddera, 33rd ward.
99 Avula Gopalam, S/o.Venkaiah,
Vaddera, 33rd ward.
100 Turka Venkateswara Rao, S/o.Guruvulu,
Vaddera, 33rd ward.
101 TvVenkataramana Rao, S/o.Venkatesu,
Vaddera, 33rd ward.
102 Gunje Ramulu, S/o.Gopaiah,
Vaddera, 33rd ward.
103 Vulupureddi, s/o. Vepana,
Vaddera, 33rd ward.
104 Avula Kannamma, W/o.Venkateswara Rao,
Vaddera, 33rd ward.
105 Gunje Durga Rao, S/o. Pullaiah,
Vaddera, 33rd ward.
106 Gunje Yesu Babu, S/o. Pullaiah,
Vaddera, 33rd ward.
107 Gunje Pedda Pullaiah, S/o.Ramulu,
Vaddera, 33rd ward.
108 Turka hanumaiah, S/o.Guraiah,
Vaddera, 33rd ward.
109 K.Chinnaiah, S/o.Mariah,
Vaddera, 33rd ward.
110 Ch.Venkanna, S/o.Guraiah,
Vaddera, 33rd ward.
111 Ch.Guraiah, S/o.Budaiah,
Vaddera, 33rd ward.
112 M.Timmaiah, S/o.Guruaiah,
Vaddera, 33rd ward.
113 T.Gurulu, S/o.Tiruma,
Vaddera, 33rd ward.
114 T.Lakshma, S/o. Gurulu,
Vaddera, 33rd ward.
115 Hanuma Raj, S/o. Ramulu,
Vaddera, 33rd ward.
116 G.Ramulu, S/o.Somulu,
Vaddera, 33rd ward.
117 Y.Lakshmaiah, S/o.Venkanna,
Vaddera, 33rd ward.
118 G.Yesulu, S/o.Guruvulu,
Vaddera, 33rd ward.
119 G.Ramulu, S/o.Venkates,
Vaddera, 33rd ward.
120 G.Venkateswara Rao, S/o. Vemana,
Vaddera, 33rd ward.
121 B.Chinnaiah, S/o.Veeraiah,
Vaddera, 33rd ward.
122 G.China Pullaiah, S/o.Ramaiah,
Vaddera, 33rd ward.
123 T.Venkateswara Rao, S/o.Guravaiah,
Vaddera, 33rd ward.
124 G.Telamma, W/o. Ramulu,

Vaddera, 33rd ward.
125 V.Satyanarayana, S/o. Eswaraiah,
Vaddera, 33rd ward.
126 G.Chinna Vemana, S/o. Lakshmaiah,
Vaddera, 33rd ward.
127 B.Tirupathaiah, S/o.Ramulu,
Vaddera, 33rd ward.
128 V.Tirupathi, S/o.Lakshma,
Vaddera, 33rd ward.
129 G.Lakshmaiah, S/o.Budaiah,
Vaddera, 33rd ward.
130 G.Vepataiah, S/o.Budaiah,
Vaddera, 33rd ward.
131 K.Yellamma, w/o. Bodaiah,
Vaddera, 33rd ward.
132 G.Ramulu, s/o. Budama,
Vaddera, 33rd ward.
133 G.Narasaraju, S/o.Ramulu,
Vaddera, 33rd ward.
134 G.Ramulu, S/o. Budama,
Vaddera, 33rd ward.
135 V.Laxmamma, W/o. Vemana,
Vaddera, 33rd ward.
136 T.Kotaiah, S/o.Gurulu,
Vaddera, 33rd ward.
137 G.Lakshmaiah, S/o.Pitchiah,
Vaddera, 33rd ward.
138 G.Veeraiah, S/o.Lakshmaiah,
Vaddera, 33rd ward.
139 G.Pentalaiah, s/o. Somulu,
Vaddera, 33rd ward.
140 Y.Gaddaiah, S/o. Bhooma,
Vaddera, 33rd ward.
141 K.Mutyalu, S/o. Venkanna,
Vaddera, 33rd ward.
142 Ch.Venkanna, S/o.Pullaiah,
Vaddera, 33rd ward.
143 K.Chinnaiah, S/o.Ramulu,
Vaddera, 33rd ward.
144 Y.Kotaiah, S/o.Gopi,
Vaddera, 33rd ward.
145 Y.Vempati, S/o. Gopaiah,
Vaddera, 33rd ward.
146 Ch.Venkanna, S/o.Polaiah,
Vaddera, 33rd ward.
147 Y.Chinna, S/o.Venkatesu,
Vaddera, 33rd ward.
148 G.Durgamma, W/o. Venkalu,
Vaddera, 33rd ward.
149 Y.Pitchamm, W/o.Gurulu,
Vaddera, 33rd ward.
150 Pedda Rangaiah, S/o.Lakshma,
Vaddera, 33rd ward.

151 V.Tirupathirao, S/o. Chinnaiah,
Vaddera, 33rd ward.
152 Y.Tirupathamma, W/o.Guraiah,
Vaddera, 33rd ward.
153 Y.yedukondalu, S/o.Bicham,
Vaddera, 33rd ward.
154 K.Kotaiah, S/o.Venkanna,
Vaddera, 33rd ward.
155 V.Kotamma, W/o.Chinna Venkateswarlu,
Vaddera, 33rd ward.
156 Ch.Raghvulu, S/o.Ramulu,
Vaddera, 33rd ward.
157 Y.Ramakrishna, S/o.Venkateswarlu,
Vaddera, 33rd ward.
158 Y.Ramulu, S/o.Gopaiah,
Vaddera, 33rd ward.
159 Yemula Buddaiah, S/o.Mekaiah,
Vaddera, 33rd ward.
160 Y.Venkateswarlu, S/o.Ramulu,
Vaddera, 33rd ward.
161 K.Yellaiah S/o.Ramulu,
Vaddera, 33rd ward.
162 Chinna Venkulu, S/o.Hanuma,
Vaddera, 33rd ward.
163 V.Ramaswamy, S/o.kanakarao,
Vaddera, 33rd ward.
164 V.Ramakrishna, S/o.Kanakarao,
Vaddera, 33rd ward.
165 Ch.Ramulu, S/o.Buchaiah,
Vaddera, 33rd ward.
166 yerrasani Venkateswara Rao, S/o. Subba Rao,
Dakshinaveedhi

..... PETITIONERS

AND

1 Eluru Municipality, represented by its Commissioner,
Eluru, W.Godavari District,
2 The Health Officer,
Eluru Municipality, Eluru,
West Godavari District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing Tom-Tom Notices dated 18-7-1995 and also the proposed action of the Respondents in directing the petitioners herein to shift the piggery of the petitioners within 7 days from the date of

the receipt of the notice 5 K.Ms. away from the town and also the present onslaught of killing innocent pigs of the petitioners is illegal, unjust and violative of Articles 14 and 19 (1)(g) of the Constitution of India and consequently direct the respondents to desist from killing and destroying the pig smacks of the petitioners with immediate effect until and unless the petitioners are provided with the alternative accommodation by the respondents for shifting the piggery.

Counsel for the Petitioners: MR.N.C.DAS

Counsel for the Respondents: MR.DANTU SRINIVAS FOR R1

AND MR.K.SIVA KUMAR REDDY FOR R2

The Court made the following :

ORDER:

As there was no representation on behalf of the petitioners on 04.10.2004, the matter was directed to be listed today for dismissal. Today also when the matter is called, none appears for the petitioners nor there is any representation.

Hence, the Writ Petition is dismissed for non-prosecution. No costs.

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(N.V. RAMANA, J)

Date: 05.10.2004

Nsr

To

1 The Commissioner, Eluru Municipality,
Eluru, W.Godavari District,
2 The Health Officer,
Eluru Municipality, Eluru,

West Godavari District.

3 Two C.D copies.